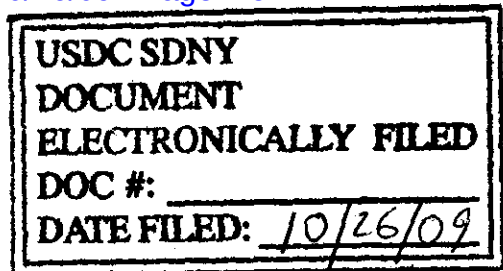


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



In re:

T H AGRIGULTURE & NUTRITION, L.L.C.

Case No. 09 Civ. 6432 (WHP)

Debtor.

**ORDER DISMISSING APPEAL OF THE WATERS & KRAUS CLAIMANTS
PURSUANT TO MOTION OF THE APPELLANT**

On motion of certain claimants represented by Waters & Kraus LLP (the "**Waters & Kraus Claimants**"), appellant in the above-entitled proceeding, due notice of said motion having been given on October 8, 2009, to counsel for T.H. Agriculture & Nutrition, L.L.C. (the "**Debtor**"), the Debtor's parent, Phillips Electronics North American Corporation ("**PENAC**"), the Unsecured Creditors Committee (the "**UCC**"), and the Future Claims Representative (the "**FCR**"), the other parties in the proceeding; and the court being fully advised;

IT IS ORDERED that the appeal in the above-entitled proceeding be, and the same hereby is, dismissed without prejudice, pursuant to the provisions of Rule 8001(c) of the Federal Rules of Bankruptcy Procedure.

Dated: October 23, 2009.


WILLIAM H. PAULEY III, U.S.D.J.